UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/474,588	12/29/1999	BALWINDER S. SAMRA	17207-00005	2447

7590 03/10/2005	EXAMINER
JOHN S BEULICK	REAGAN, JAMES A
ARMSTRONG TEARSDALE LLP	
ONE METROPOLITAN SQUARE	
SUITE 2600	
ST LOUIS, MO 631022740	

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 Decembr 2004</u>.
2a)☒ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-21</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   This action is in reply to the amendment received on 08 December 2004.

2.   Claims 1, 10 and 19 have been amended.

3.   Claims 1-21 have been examined.

Response to Arguments

4.   Applicant's arguments received on 17 May 2004 have been fully considered but they are not persuasive. Referring to the previous Office action, Examiner has cited relevant portions of the references as a means to illustrate the systems as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first Office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims, except as noted above in the section labeled "Status of Claims." This information is intended to assist in illuminating the teachings of the references while providing evidence that establishes further support for the rejections of the claims.

        Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

        Applicant's arguments with respect to claims 19-21 have been considered but are moot in view of the new ground(s) of rejection. However, in an effort to elucidate the applicability of the selected prior art, the Examiner has provided a riposte to a portion of the Applicant's arguments.

        With regard to the limitations of claim 19, Applicant argues that neither Melchione, Pham, Kroenke, or Sheppard taken alone or in combination, disclose the claimed invention. It appears that the Applicant is attacking the references individually, instead of in combination as intended and shown in the rejections below. The Examiner respectfully disagrees with the Applicant's

assertions, and points to the rejections below, where Melchione disclose marketing research and recordation techniques, Pham discloses using an OLAP tool, Kroenke discloses techniques for utilizing the OLAP tool as well as Relational database practices, and Sheppard discloses customer behavior propensity models. The combination, as shown below discloses the limitations as cited by the Applicant. Arguments drawn to added or amended limitations have been addressed in the rejections below.

In response to applicant's argument that Kroenke is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Kroenke is a textbook about databases and their functionality, clearly analogous to the instant invention, which utilize database applications.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, In this case, Kroenke is a textbook about databases and their functionality, clearly analogous to Melchione, Sheppard, and Pham, each utilizing database applications directed to marketing endeavors, undoubtedly parallel in their application and conception.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the

applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392,

170 USPQ 209 (CCPA 1971).

Double Patenting

5.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in

public policy (a policy reflected in the statute) so as to prevent the unjustified or improper

timewise extension of the "right to exclude" granted by a patent and to prevent possible

harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed.

Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686

F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);

and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

6.   A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome

an actual or provisional rejection based on a nonstatutory double patenting ground provided the

conflicting application or patent is shown to be commonly owned with this application. See 37

CFR 1.130(b).

7.   Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer.

A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8.   Claims 1-21 are provisionally rejected under the judicially created doctrine of double patenting

over claims 1-24 of copending Application No. 09/751859. Although the conflicting claims are not

identical, they are not patentably distinct from each other because both cite *building models of*

predicted customer profiles the models include risk models, attrition models, and profitability

models, each model is a statistical analysis for predicting a behavior of a prospective customers

wherein a risk model predicts a likelihood of whether the prospective customer will at least one of

pay on times be delinquent with a payment, and declare bankruptcy, an attrition model predicts a

likelihood of whether the prospective customer will remain a customer or become a customer of a

competitors a profitability model predicts a net present value of the prospective customer. This is

a <u>provisional</u> obviousness-type double patenting rejection because the conflicting claims have not

in fact been patented.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject matter
> sought to be patented and the prior art are such that the subject matter as a whole would
> have been obvious at the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be negatived by the manner
> in which the invention was made.

10.   Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melchione et al.,

(US 5,930,764) in view of Pham et al., (US 5,970,482), and further in view of Kroenke (Database

Processing: Fundamentals, Design, and Implementation, (c) 1998), and further in view of

Sheppard, (US 6,026,397).

Examiner's note: Examiner has pointed out particular references contained in the prior art of

record in the body of this action for the convenience of the Applicant. Although the specified

citations are representative of the teachings in the art and are applied to the specific limitations

within the individual claim, other passages and figures may apply. Applicant, in preparing the

response, should consider fully the *entire* reference as potentially teaching all or part of the

claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claims 1, 10, and 19:

With regard to the limitation of:

- *building models of predicted customer profiles,* Melchione discloses customer profiles based on a demographic database (column 5, lines 1-2).

- *generating scores for prospective customer included within the target group based on the predicted customer profiles,* Melchione discloses a scoring system, models developed from customer profiles, predictions based on the customer profiles (column 42 line 51 to column 43 line 16).

Melchione does not specifically disclose *embedding the models within an online analytical processing tool.* Pham, however, in column 13, line 6 does discloses using OLAP, and in lines 39-42 also discloses building a knowledge model to predict behavior. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione scoring system with Pham's OLAP system to derive the modeling features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately mining and modeling consumer data enhances an organization's capability to maximize profits and target new business.

In addition, Melchione does not specifically disclose that *the online analytical processing tool generates the scores by combining the models in the determined sequential order.* Pham, however, in column 32, lines 29-32, discloses, "...The scoring level 2934 indicates the best candidates profiled in the results. Those scored as best may include candidates in several profiles..." Here Pham indicates combining different profiles i.e. models. It would have been obvious to one of ordinary skill in the art at the time of the invention to build a customer profile

and generate scores according to the profile to predict customer behavior because predicting customer behavior increases the likelihood of gaining new customers, thereby increasing profits.

Neither Melchione nor Pham specifically disclose:

- *determining a sequential order for combining the models prior to combining the models based on the model combination analysis performed by the online analytical processing tool;*

- *using the online analytical processing tool to combine the models in the determined sequential order.*

However, Kroenke, on pages 386-392 discuss OLAP tools, and discloses multi-dimensional slices i.e. models, organizing i.e. sequencing, the data according to a specified ranking, and combining the models into various view definitions to derive analytical conclusions. Since OLAP is based on the one-dimensional relational database, sequencing of records based on one or many fields would be obvious to one of ordinary skill in the art. Applying the same sequencing steps to a multi-dimensional OLAP tool would also be obvious to one of ordinary skill in the database arts since ordering and sequencing information in a database to derive specific statistical data is a fundamental function of databases. Applying the same functionality, as shown by Kroenke, to a multidimensional database enhances the power of the relational database. Examples of multiple models within a hyperdimensional database as well as sample code are shown in Figures 14-11 to 14-17 and related text.

With regard to the limitations of *wherein combining the models in the determined sequential order includes defining a target group of prospective customers from the plurality of prospective customers stored in the database, the target group including a list of prospective customers satisfying each of the combined models, the determined sentential order maximizes a number of prospective customers included within the target group,* querying a database based on a specific metric or metrics and then sorting the results founded on such metrics are inherent and acknowledged functions of a relational database system. It would have been obvious to one of

ordinary skill in the art at the time of the invention to utilize the powerful and efficient relational database system to query and sort through various records to identify and isolate potential customers based upon predetermined characteristics because these select customers would most likely produce profitable results.

Melchione/Pham/Kroenke disclose a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, customer profiles, a scoring system to predict customer activity, and propensity models. Melchione/Pham/Kroenke do not disclose determining *how likely a customer is to default on an account*. Sheppard, however, in column 2, lines 44-51 does discloses the probability of attrition i.e. default. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione/Pham/Kroenke predicting and scoring system with Sheppard's probability of default to derive the modeling features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately predicting negative behavior in an existing account enables the account manager to prepare and possibly avoid detrimental activities and ensures profitability.

Melchione/Pham/Kroenke disclose a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, customer profiles, a scoring system to predict customer activity, and propensity models. Melchione/Pham/Kroenke do not disclose *a behavior prediction model to estimate risk.* Sheppard, however, in column 2, lines 44-51 does discloses predicting customer behavior, profitability and associated risks. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione/Pham/Kroenke predicting and scoring system with Sheppard's behavior propensity models derive the prediction features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to

knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately predicting negative behavior in an existing account enables the account manager to prepare and possibly avoid detrimental activities and ensures profitability by providing a technical advantage.

Melchione/Pham/Kroenke disclose a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, customer profiles, a scoring system to predict customer activity, and propensity models. Melchione/Pham/Kroenke do not disclose *using a client prospecting model for business development*. Sheppard, however, in column 2, lines 28-38 does discloses predicting and identifying customers, and developing profiles based on demographics and behavior. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione/Pham/Kroenke predicting and scoring system with Sheppard's lead-forecasting models to derive the prediction features of the claimed invention. Inherently, identifying and developing leads is a primary concern when designing a marketing program that specifically targets new business clients and customers based on a demographic.

With regard to the limitation of *a propensity model for supplying predicted answers of a customer to marketing-related questions*, Melchione discloses a banker answering basic questions for a customer. It would have been obvious to one of ordinary skill in the art to combine the Melchione's frequently asked questions with the propensity models of Sheppard because this would provide an efficient automated service for the customer.

With regard to the newly-added limitation of *building models of predicted customer profiles the models include risk models, attrition models, and profitability models, each model is a statistical analysis for predicting a behavior of a prospective customers wherein a risk model predicts a likelihood of whether the prospective customer will at least one of pay on times be delinquent with a payment, and declare bankruptcy, an attrition model predicts a likelihood of whether the prospective customer will remain a customer or become a customer of a competitors*

a profitability model predicts a net present value of the prospective customer, Sheppard, in column 2, lines 44-51 does discloses predicting customer behavior, profitability and associated risks. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione/Pham/Kroenke predicting and scoring system with Sheppard's behavior propensity models derive the prediction features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately predicting negative behavior in an existing account enables the account manager to prepare and possibly avoid detrimental activities and ensures profitability by providing a technical advantage.

With regard to the limitations of *using the online analytical processing tool and the customer demographic data to analyze combination of the models, each model combination includes a risk model, an attrition model, and a profitability model,* Kroenke, on pages 386-392 discuss OLAP tools, and discloses multi-dimensional slices i.e. models, organizing i.e. sequencing, the data according to a specified ranking, and combining the models into various view definitions to derive analytical conclusions. Since OLAP is based on the one-dimensional relational database, sequencing of records based on one or many fields would be obvious to one of ordinary skill in the art. Applying the same sequencing steps to a multi-dimensional OLAP tool would also be obvious to one of ordinary skill in the database arts since ordering and sequencing information in a database to derive specific statistical data is a fundamental function of databases. Applying the same functionality, as shown by Kroenke, to a multidimensional database enhances the power of the relational database. Examples of multiple models within a hyperdimensional database as well as sample code are shown in Figures 14-11 to 14-17 and related text. In addition, Sheppard, in column 2, lines 44-51 does discloses predicting customer behavior, profitability and associated risks. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione/Pham/Kroenke predicting and

scoring system with Sheppard's behavior propensity models derive the prediction features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately predicting negative behavior in an existing account enables the account manager to prepare and possibly avoid detrimental activities and ensures profitability by providing a technical advantage.

Claims 2 and 15:

Melchione discloses a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, which utilizes customer profiles and a scoring system to predict customer activity. Melchione does not disclose *generating scores for a prospective customer further comprises the step of using the online analytical processing tool that combines models in the form of a multidimensional structure.* Pham, however, in column 13, line 6 does discloses using OLAP, and in lines 39-42 also discloses building a knowledge model to predict behavior. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione scoring system with Pham's OLAP system to derive the modeling features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately mining and modeling consumer data enhances an organization's capability to maximize profits and target new business.

Claim 3:

Melchione discloses a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, which utilizes customer profiles and a scoring system to predict customer activity. Melchione also discloses building

models of predicted customer profiles with dimensions comprising risk, attrition, and profitability (predicting when a customer will change banks or open a new account; column 5, lines 31-42). Melchione does not specifically disclose *generating scores for a prospective customer further comprises the step of using the online analytical processing tool with dimensions comprising risk, attrition, and profitability.* Pham, however, in column 13, line 6 does discloses using OLAP, and in lines 39-42 also discloses building a knowledge model to predict behavior. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione scoring system with Pham's OLAP system to derive the modeling features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately mining and modeling consumer data enhances an organization's capability to maximize profits and target new business.

Claim 4:

With regard to the limitation of *using a propensity model to supply predicted answers to questions,* Melchione discloses propensity models that address the likelihood of a customer meeting a certain criteria such as having a child (column 43, lines 5-16). It would have been obvious to one of ordinary skill in the art at the time of the invention to build a propensity model to predict customer behavior because predicting customer behavior increases the likelihood of gaining new customers, thereby increasing profits.

Claim 5:

With regard to the limitation of *using a propensity model to determine how likely a customer is to close an account early,* Melchione discloses predicting when a customer will "overcome inertia" and change banks or open new accounts (column 5, lines 31-42). Melchione does not specifically disclose that changing banks also includes closing an account. However,

changing banks inherently implies dissatisfaction with the current bank and thus would also inherently imply closing an existing account in favor of a new one at another source. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a propensity model to predict customers leaving a bank in favor of a new one because predicting losses in revenue provides an opportunity to prevent the loss before it occurs.

Claims 6 and 14:

Melchione/Pham/Kroenke disclose a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, customer profiles, a scoring system to predict customer activity, and propensity models. Melchione/Pham/Kroenke do not disclose determining *how likely a customer is to default on an account*. Sheppard, however, in column 2, lines 44-51 does discloses the probability of attrition i.e. default. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione/Pham/Kroenke predicting and scoring system with Sheppard's probability of default to derive the modeling features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately predicting negative behavior in an existing account enables the account manager to prepare and possibly avoid detrimental activities and ensures profitability.

Claims 7 and 16:

Melchione/Pham/Kroenke disclose a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, customer profiles, a scoring system to predict customer activity, and propensity models. Melchione/Pham/Kroenke do not disclose *a behavior prediction model to estimate risk.*

Sheppard, however, in column 2, lines 44-51 does discloses predicting customer behavior, profitability and associated risks. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione/Pham/Kroenke predicting and scoring system with Sheppard's behavior propensity models derive the prediction features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately predicting negative behavior in an existing account enables the account manager to prepare and possibly avoid detrimental activities and ensures profitability by providing a technical advantage.

Claims 8 and 17:

Melchione/Pham/Kroenke disclose a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, customer profiles, a scoring system to predict customer activity, and propensity models. Melchione/Pham/Kroenke do not disclose *using a client prospecting model for business development*. Sheppard, however, in column 2, lines 28-38 does discloses predicting and identifying customers, and developing profiles based on demographics and behavior. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione/Pham/Kroenke predicting and scoring system with Sheppard's lead-forecasting models to derive the prediction features of the claimed invention. Inherently, identifying and developing leads is a primary concern when designing a marketing program that specifically targets new business clients and customers based on a demographic.

Claim 9:

With regard to the limitation of *generating scores for a prospective customer in the database based on the predicted customer profiles further comprises the step of guiding a user to*

optimize marketing campaign selections based on criteria from a customer database, Melchione discloses optimizing the use of marketing resources (column 10, lines 6-8). Melchione does not specifically disclose that the optimization is done for the benefit of a user or that the marketing resources are criteria from the customer database. However, it is inherent that any use of the database would be for the benefit of a user, and optimizing a marketing campaign would benefit any users associated with the campaign. In addition, it is inherently assumed that the marketing resources are equivalently the criteria maintained on the customer database that are used to predict customer behavior. It would have been obvious to one of ordinary skill in the art at the time of the invention to optimize data on a customer database for the benefit of the users in a marketing campaign because correctly utilizing data increases efficiency and profits.

Claim 11:

Melchione discloses a sales process support system and method for identifying sales targets using a centralized database to improve marketing success, which utilizes customer profiles and a scoring system to predict customer activity. Melchione does not disclose *models are embedded in said online analytical processing tool that takes the form of a multidimensional structure* Pham, however, in column 13, line 6 does discloses using OLAP, and in lines 39-42 also discloses building a knowledge model to predict behavior. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the Melchione scoring system with Pham's OLAP system to derive the modeling features of the claimed invention. Inherently, predictive models are constructed to transform accumulated data in to knowledge models to provide better customer service, target potential customers, and to forecast changes in the account status of a current customer. Accurately mining and modeling consumer data enhances an organization's capability to maximize profits and target new business.

Claim 12:

With regard to the limitation of *models of predicted customer profiles further comprise a propensity model used to supply predicted answers to questions,* Melchione discloses propensity models that address the likelihood of a customer meeting a certain criteria such as having a child (column 43, lines 5-16). It would have been obvious to one of ordinary skill in the art at the time of the invention to build a propensity model to predict customer behavior because predicting customer behavior increases the likelihood of gaining new customers, thereby increasing profits.

Claim 13:

With regard to the limitation of *propensity model determines how likely a customer is to close an account early,* Melchione discloses predicting when a customer will "overcome inertia" and change banks or open new accounts (column 5, lines 31-42). Melchione does not specifically disclose that changing banks also includes closing an account. However, changing banks inherently implies dissatisfaction with the current bank and thus would also inherently imply closing an existing account in favor of a new one at another source. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a propensity model to predict customers leaving a bank in favor of a new one because predicting losses in revenue provides an opportunity to prevent the loss before it occurs.

Claim 18:

With regard to the limitation of *guide a user to optimize marketing campaign selections based on criteria from a customer database,* Melchione discloses optimizing the use of marketing resources (column 10, lines 6-8). Melchione does not specifically disclose that the optimization is done for the benefit of a user or that the marketing resources are criteria from the customer database. However, it is inherent that any use of the database would be for the benefit of a user, and optimizing a marketing campaign would benefit any users associated with the campaign. In

addition, it is inherently assumed that the marketing resources are equivalently the criteria maintained on the customer database that are used to predict customer behavior. It would have been obvious to one of ordinary skill in the art at the time of the invention to optimize data on a customer database for the benefit of the users in a marketing campaign because correctly utilizing data increases efficiency and profits.

Claims 20 and 21:

With regard to the limitations of *using the online analytical processing tool and the customer demographic data further comprises using the online analytical processing tool and the customer demographic data to analyze each combination of the models based on at least one of risk, attrition, and profitability,* Melchione/Pham disclose customer profiles based on a demographic database (column 5, lines 1-2), Kroenke, on pages 386-392 discuss OLAP tools, and discloses multi-dimensional slices i.e. models, organizing i.e. sequencing, the data according to a specified ranking, and combining the models into various view definitions to derive analytical conclusions, and Sheppard discloses propensity models, as shown above. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Melchione/Pham/Kroenke/ Sheppard because employing the versatility and capacity of an OLAP database allows a user to make various predictions about customer's behavior, potentially increasing profitability.

Conclusion

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

12.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **James A. Reagan** whose telephone number is **(703) 306-9131**. The examiner can normally be reached on Monday-Friday, 9:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **James Trammell** can be reached at (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 305-3900**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 305-7687 [Official communications; including

After Final communications labeled "Box AF"]

(703) 308-1396 [Informal/Draft communications, labeled "PROPOSED"

or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

JAR

04 March 2005